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MICHAEL D. TORPEY (STATE BAR NO. 79424)
ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, California 94105-2669
Telephone: (415) 773-5700
Facsimile: (415) 773-5759
Email: mtorpey@orrick.com

MICHAEL C. TU (STATE BAR NO. 186793)
ORRICK, HERRINGTON & SUTCLIFFE LLP
777 South Figueroa Street, Suite 3200
Los Angeles, California 90017-5855
Telephone: (213) 629-2020
Facsimile: (213) 612-2499
Email: mtu@orrick.com

Attorneys for the Special Litigation Committee of Coherent, Inc.
and Nominal Defendant Coherent, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re COHERENT, INC. SHAREHOLDER
DERIVATIVE ACTION

Lead Case No. C-07-0955-JF

DERIVATIVE ACTION

This Document Related To:

ALL ACTIONS.

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO COMPLAINT**

1 WHEREAS, on June 25, 2007, plaintiffs filed a consolidated amended complaint (the
2 "Complaint") in this consolidated shareholder derivative action;

3 WHEREAS, on January 30, 2008, the parties filed a stipulation and proposed order to
4 extend the defendants' deadline to respond to the Complaint and related briefing schedule in light
5 of mediation proceedings;

6 WHEREAS, on February 5, 2008, the Court approved the parties' stipulation and
7 continued defendants' deadline to respond to the Complaint to April 18, 2008;

8 WHEREAS, full day mediations were held on January 9, 2008 and March 20, 2008 before
9 the Hon. Howard Wiener (ret.);

10 WHEREAS, the parties are currently engaging in continuing settlement discussions;

11 WHEREAS, in light of the foregoing, the parties have agreed, subject to Court approval,
12 to continue the date for defendants' deadline to respond to the Complaint by two weeks in order
13 to facilitate the ongoing settlement discussions;

14 WHEREAS, the agreed upon schedule is not for the purpose of delay, promotes judicial
15 efficiency, and will not cause prejudice to any party;

16 THEREFORE, IT IS STIPULATED AND AGREED by plaintiffs, defendants and the
17 Special Litigation Committee, through their undersigned counsel, subject to approval of the
18 Court, as follows:

19 1. Defendants' deadline to respond to the Complaint is continued from April 18,
20 2008 to May 2, 2008.

21 2. In the event that defendants file and serve motion(s) directed at the Complaint,
22 plaintiffs shall file and serve an opposition no later than June 16, 2008, and defendants shall file
23 and serve a reply no later than July 16, 2008.

1 3. The Case Management Conference is rescheduled until such time that the Court
2 schedules a hearing on the responsive pleadings.

3 IT IS SO STIPULATED.

4
5 Dated: April 15, 2008

/s/

SCHIFFRIN, BARROWAY, TOPAZ &
KESSLER, LLP
ALAN R. PLUTZIK
L. TIMOTHY FISHER
NICHOLE BROWNING
2125 Oak Grove Road, Suite 120
Walnut Creek, CA 94598
Telephone: 925/945-0770
Fax: 925/945-8792

SCHIFFRIN, BARROWAY, TOPAZ &
KESSLER, LLP
LEE RUDY
280 King of Prussia Road
Radnor, PA 19087
Telephone: 610/667-7706
Fax: 610/667-7056

11
12
13
14
15 Dated: April 15, 2008

/s/

16 COUGHLIN STOIA GELLER RUDMAN &
17 ROBBINS LLP
18 TRAVIS E. DOWNS III
19 KATHLEEN A. HERKENHOFF
20 BENNY C. GOODMAN III
21 MARY LYNNE CALKINS
22 655 West Broadway, Suite 1900
23 San Diego, CA 92101
24 Telephone: 619/231-1058
25 Fax: 619/231-7423

26 Co-Lead Counsel for Plaintiffs
27
28

1 Dated: April 15, 2008

/s/

2
3 HELLER EHRMAN LLP
CHARLES RALPH JAEGER
333 Bush Street
4 San Francisco, CA 94104
Telephone: 415/772-6000
5 Fax: 415/772-6268

6 HELLER EHRMAN LLP
NORMAN J. BLEARS
7 275 Middlefield Road
Menlo Park, CA 94025-3506
8 Telephone: 650/324-7000
9 Fax: 650/324-0638

Counsel for Defendant Scott H. Miller

10 Dated: April 15, 2008

/s/

11 KING & SPALDING
12 MICHAEL R. SMITH
JUSTIN C. JEFFRIES
13 1180 Peachtree Street, NE
Atlanta, GA 30309
14 Telephone: 404/572-4600
15 Fax: 404/572-5100

16 - and -

17 TAYLOR & COMPANY LAW OFFICES, INC.
STEPHEN E. TAYLOR
18 JESSICA L. GRANT
One Ferry Building, Suite 355
San Francisco, CA 94111
19 Telephone: 415/788-8200
20 Fax: 415/788-8208

21 Counsel for Defendant Robert J. Quillinan

22 Dated: April 15, 2008

/s/

23 FARELLA BRAUN & MARTEL, LLP
DOUGLAS R. YOUNG
24 C. BRANDON WISOFF
235 Montgomery Street, 7th Floor
25 San Francisco, CA 94104
Telephone: 415/954-4400
26 Fax: 415/954-4480

27 Counsel for Defendant Bernard Couillaud

1 Dated: April 15, 2008

/s/

2
3 COOLEY GODWARD KRONISH, LLP
4 WILLIAM S. FREEMAN
5 JEFFREY M. KABAN
6 Five Palo Alto Square
7 3000 El Camino Real
8 Palo Alto, CA 94306
9 Telephone: 650/843-5000
10 Fax: 650/857-0663

11 Counsel for Defendant Henry E. Gauthier

12 Dated: April 15, 2008

/s/

13 WILSON SONSINI GOODRICH & ROSATI
14 DIANE M. WALTERS
15 650 Page Mill Road
16 Palo Alto, CA 94304
17 Telephone: 650/493-9300
18 Fax: 650/493-6811

19 Counsel for Individual Defendants Charles W.
20 Cantoni, Dennis C. Bucek, Garry W. Rogerson,
21 Helene Simonet, John R. Ambroseo, John H. Hart,
22 Lawrence Tomlinson, Luis Spinelli, Paul L.
23 Meissner, Ronald A. Victor, Sandeep Vij, Vittorio
24 Fossati-Bellani, Kevin McCarthy, James L. Taylor,
25 Gerald C. Barker, Kevin P. Connors, Robert M.
26 Gelber and James L. Hobart

27 Dated: April 15, 2008

/s/

28 ORRICK, HERRINGTON & SUTCLIFFE LLP
MICHAEL D. TORPEY
The Orrick Building
405 Howard Street
San Francisco, CA 94105-2669
Telephone: 415/773-5700
Fax: 415/773-5759

ORRICK, HERRINGTON & SUTCLIFFE LLP
MICHAEL C. TU
777 South Figueroa Street, Suite 3200
Los Angeles, CA 90017-5855
Telephone: 213/629-2020
Fax: 213/612-2499

Counsel for the Special Litigation Committee of
Coherent, Inc. and Nominal Defendant Coherent,
Inc.

1 I, Michael C. Tu, am the ECF user whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In compliance with
3 General Order 45(X), I hereby attest that the other signatories have concurred in this filing.

4 _____
5 /s/ Michael C. Tu
6 Michael C. Tu

7 **ORDER**

8 Pursuant to the parties' stipulation, IT IS SO ORDERED.

9 The Case Management Conference is continued to August 1, 2008 at 10:30 AM.

10 Dated: 4/16/08

11 _____
12 **HON. JEREMY FOGEL**
13 **UNITED STATES DISTRICT COURT JUDGE**